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ATTEST
FOR THE JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

OCT 17 2005

FILED
CLERK'S OFFICE

DOCKET NO. 1514

BEFORE THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION

IN RE ELECTRICAL CARBON PRODUCTS ANTITRUST LITIGATION

Emerson Electric Co., et al. v. Morgan Crucible Co., PLC, et al., E.D. Michigan,
C.A. No. 2:05-73655

CONDITIONAL TRANSFER ORDER (CTO-2)

On April 21, 2003, the Panel transferred six civil actions to the United States District Court for the District of New Jersey for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. Since that time, six additional actions have been transferred to the District of New Jersey. With the consent of that court, all such actions have been assigned to the Honorable Jerome B. Simandle.

It appears that the action on this conditional transfer order involves questions of fact which are common to the actions previously transferred to the District of New Jersey and assigned to Judge Simandle.

Pursuant to Rule 7.4 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), this action is transferred under 28 U.S.C. § 1407 to the District of New Jersey for the reasons stated in the order of April 21, 2003, 259 F.Supp.2d 1374 (J.P.M.L. 2003), and, with the consent of that court, assigned to the Honorable Jerome B. Simandle.

This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the District of New Jersey. The transmittal of this order to said Clerk shall be stayed fifteen (15) days from the entry thereof and if any party files a notice of opposition with the Clerk of the Panel within this fifteen (15) day period, the stay will be continued until further order of the Panel.

Inasmuch as no objection is
pending at this time, the
stay is lifted.

NOV - 2 2005

CLERK'S OFFICE
JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

FOR THE PANEL:

Michael J. Beck

Michael J. Beck
Clerk of the Panel

**UNITED STATES OF AMERICA
JUDICIAL PANEL ON MULTIDISTRICT LITIGATION**

CHAIRMAN:

Judge Wm. Terrell Hodges
United States District Court
Middle District of Florida

MEMBERS:

Judge John F. Keenan
United States District Court
Southern District of New York

Judge D. Lowell Jensen
United States District Court
Northern District of California

Judge J. Frederick Motz
United States District Court
District of Maryland

Judge Robert L. Miller, Jr.
United States District Court
Northern District of Indiana

Judge Kathryn H. Vratil
United States District Court
District of Kansas

Judge David R. Hansen
United States Court of Appeals
Eighth Circuit

DIRECT REPLY TO:

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November 2, 2005

William T. Walsh, Clerk
1050 Mitchell H. Cohen U.S. Courthouse
400 Cooper Street
Camden, NJ 08102

Re: MDL-1514 -- In re Electrical Carbon Products Antitrust Litigation

Emerson Electric Co., et al. v. Morgan Crucible Co., PLC, et al., E.D. Michigan, C.A. No. 2:05-73655

Dear Mr. Walsh:


I am enclosing a certified copy and one additional copy of a conditional transfer order filed by the Panel in the above-captioned matter on October 17, 2005. As stipulated in Rule 7.4(a) of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), transmittal of the order has been stayed 15 days to give any party an opportunity to oppose the transfer. The 15-day period has now elapsed, no opposition was received, and the order is directed to you for filing.

The Panel's governing statute, 28 U.S.C. §1407, requires that the transferee clerk "...transmit a certified copy of the Panel's order to transfer to the clerk of the district court from which the action is being transferred."

A list of involved counsel is attached.

Very truly,

Michael J. Beck
Clerk of the Panel

By 
Deputy Clerk

Attachment

cc: Transferee Judge: Judge Jerome B. Simandle
Transferor Judge: Judge Victoria A. Roberts
Transferor Clerk: David J. Weaver

JPML Form 36